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14 **UNITED STATES DISTRICT COURT**

15 **NORTHERN DISTRICT OF CALIFORNIA**

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17 *In re Capacitors Antitrust Litigation*

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10 **Case No. 17-md-02801-JD**

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1 Plaintiff, Benchmark Electronics, Inc., Benchmark Electronics Huntsville, Inc.,
 2 Benchmark Electronics Manufacturing Solutions (Moorpark), Inc., Benchmark Electronics
 3 Manufacturing Solutions, Inc., Benchmark Electronics Phoenix, Inc., Benchmark Electronics
 4 Tijuana, S. de R.L. de C.V. and Benchmark Electronics de Mexico S. de R.L. de C.V.,
 5 (collectively, "Benchmark") and Defendant Fujitsu Limited ("Fujitsu") pursuant to Rule 41(a)(2)
 6 of the Federal Rules of Civil Procedure hereby stipulate to the dismissal of the present action
 7 with prejudice and state as follows:

8 1. Benchmark and Fujitsu seek the dismissal of this action against Fujitsu with
 9 prejudice.

10 2. Benchmark and Fujitsu agree that each party shall bear its own costs and
 11 attorneys' fees in connection with these actions.

12 3. This stipulation does not affect the rights or claims of Benchmark against any
 13 other defendant or alleged co-conspirator in this litigation.

14 WHEREFORE, the parties respectfully request that this Court issue an Order of
 15 Dismissal against Fujitsu only.

16 **IT IS SO STIPULATED**

17 Dated: September 5, 2019

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 19
 20 */s/ Scott N. Wagner*
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 21 Scott N. Wagner (admitted *pro hac vice*)
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5 *Counsel for Defendant Fujitsu Limited*

9 **ECF ATTESTATION**

10 I, Scott N. Wagner, an ECF User whose ID and Password are being used to file this
11 Stipulation and [Proposed] Order of Dismissal.

12 In compliance with Civil Local Rule 5-1, I hereby attest that counsel for has concurred in
13 this filing.

15 DATED: September 5, 2019

16 By: /s/ Scott N. Wagner
17 Scott N. Wagner

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PURSUANT TO STIPULATION, IT IS SO ORDERED.
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Dated: _____

_____ UNITED STATES DISTRICT JUDGE